

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY S D.C.
05 JUL 15 AM 9:31
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

MARION GAFFNEY, wrongful)
death beneficiary and next of kin)
of JAY MICHAEL GAFFNEY,)
Plaintiff,)

v.)

Case No: 05 1183 T/An
JURY TRIAL DEMAND

MERCK & CO., INC.;)
JENNIFER FLETCHER KINMAN, DPH;)
LISA D. WEIR, DPH;)
EXPRESS SCRIPTS, INC.;)
SHAY M. INGRAM;)
VINAY KRISHAN SOOD;)
MICHAEL RICHARDS;)
PATRICIA BLASINGAME and)
SCOTT EVANS,)
Defendants.)

STIPULATION AND ORDER OF DISMISSAL

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, the parties hereby stipulate to the dismissal of Defendant Express Scripts, Inc. without prejudice;

It is therefore ORDERED that the Plaintiffs' action against Defendant Express Scripts, Inc. is dismissed without prejudice.

Signed this 15th day of July, 2005.

James D. Todd
JUDGE

APPROVED FOR ENTRY:

HILL – BOREN, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been placed in the U.S. Mail, postage prepaid and properly addressed to:


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this 3rd day of July, 2005.


T. Robert Hill



Notice of Distribution

This notice confirms a copy of the document docketed as number 14 in case 1:05-CV-01183 was distributed by fax, mail, or direct printing on July 19, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT